# **EXHIBIT B**

## UNITED STATES DISTRICT COURT

for the

District of									
v. ) Case No.:									
BILL OF COSTS									
Judgment having been entered in the above entitled action on against									
the Clerk is requested to tax the following as costs:									
Fees of the Clerk									
Fees for service of summons and subpoena									
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case									
Fees and disbursements for printing									
Fees for witnesses (itemize on page two)									
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case.									
Docket fees under 28 U.S.C. 1923									
Costs as shown on Mandate of Court of Appeals									
Compensation of court-appointed experts									
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828									
Other costs (please itemize)									
TOTAL \$									
SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.									
Declaration									
I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all participants in the following manner:									
☐ Electronic service ☐ First class mail, postage prepaid									
Other:									
s/ Attorney:									
Name of Attorney:									
For:  Name of Claiming Party  Date:									
Taxation of Costs									
Costs are taxed in the amount of and included in the judgment									
By: By: Deputy Clerk  Clerk of Court Deputy Clerk Date									

AO 133 (Rev. 12/09) Bill of Costs

### United States District Court

Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)							
	ATTENDANCE		SUBSISTENCE		MILEAGE		T + 10 +
NAME , CITY AND STATE OF RESIDENCE	Days	Total Cost	Days	Total Cost	Miles	Total Cost	Total Cost Each Witness
					TO	OTAL	

#### NOTICE

#### Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

#### See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

### The Federal Rules of Civil Procedure contain the following provisions: RULE 54(d)(1)

Costs Other than Attorneys' Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 14 day's notice. On motion served within the next 7 days, the court may review the clerk's action.

#### **RULE 6**

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

#### **RULE 58(e)**

Cost or Fee Awards:

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF NEW YORK

NEW YORK STATE RIFLE AND PISTOL ASSOCIATION, INC., et al.,	)		
Plaintiffs,	)		
v.	)	Civil Action No.	
STEVEN NIGRELLI, IN HIS OFFICIAL	)	1:18-cv-00134-BKS-ATE	
CAPACITY AS ACTING	)		
SUPERINTENDENT OF THE	)		
NEW YORK STATE POLICE, et al.,	)		
	)		
Defendants.	)		

# ITEMIZATION OF COSTS IN THE SUPREME COURT OF THE UNITED STATES

JOHN PARKER SWEENEY submits the following itemization of taxable costs in the amount of \$2,977.20 in connection with Plaintiffs' motion for an award of attorney's fees and costs, including the following items:

- 1. \$300.00 for payment of "Clerk's costs" in the Supreme Court of the United States, pursuant to Supreme Court Rule 43 and 28 U.S.C. § 1920(1). (See Exhibit B at 8–9).
- 2. \$2,677.20 for payment of "Printing of record" in the Supreme Court of the United States, pursuant to Supreme Court Rule 43 and 28 U.S.C. § 1920(3). (See Exhibit B at 8–9).

  Dated: February 9, 2023

John Parker Sweeney

Bradley Arant Boult Cummings LLP

1615 L Street N.W., Suite 1350 Washington, D.C. 20036

Phone: (202) 393-7150 jsweeney@bradley.com

# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF NEW YORK

ASSOCIATION, INC., et al.,	)	
Plaintiffs,	)	
v.	) ) )	Civil Action No. 1:18-cv-00134-BKS-ATB
STEVEN NIGRELLI, IN HIS OFFICIAL	)	
CAPACITY AS ACTING	)	
SUPERINTENDENT OF THE	)	
NEW YORK STATE POLICE, et al.	)	
	)	
Defendants.	)	

#### **DECLARATION OF JOHN PARKER SWEENEY**

JOHN PARKER SWEENEY declares under penalty of perjury that the following is true and correct:

- 1. My name is John Parker Sweeney. I am a partner in the law firm Bradley Arant Boult Cummings LLP ("Bradley"). Along with other Bradley attorneys and attorneys from the law firms of Kathleen McCaffrey Baynes, Esq., PLLC, Cooper & Kirk PLLC, and Kirkland & Ellis LLP, I represented Plaintiffs in this action. I am over the age of 18 years and competent to testify to the matters set forth herein.
- 2. The items claimed in the Bill of Costs submitted on behalf of Plaintiffs regarding taxable costs in the Supreme Court (totaling \$2,977.20) are correct. (See Exhibit B at 2).
- 3. The costs in the Supreme Court for which Plaintiffs seek reimbursement were necessarily incurred.
- 4. The services for which the fees have been charged were actually and necessarily performed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this February 9, 2023.

John Parker Sweeney

Bradley Arant Boult Cummings LLP 1615 L Street N.W., Suite 1350 Washington, D.C. 20036

Phone: (202) 393-7150

jsweeney@bradley.com

### Supreme Court of the United States Office of the Clerk Washington, DC 20543-0001

Scott S. Harris Clerk of the Court (202) 479-3011

July 25, 2022

Clerk
United States Court of Appeals
for the Second Circuit
United States Courthouse
40 Foley Square
New York, NY 10007

Re: New York State Rifle, et al. v. Kevin P. Bruen, et al. No. 20-843 (Your docket No. 19-156)

Dear Clerk:

Attached please find a certified copy of the judgment of this Court in the above-entitled case.

Sincerely,

SCOTT S. HARRIS, Clerk

By

M. Altner

Judgments/Mandates Clerk

Enc.

cc: All counsel of record

### Supreme Court of the United States Office of the Clerk Washington, DC 20543-0001

Scott S. Harris Clerk of the Court (202) 479-3011

July 25, 2022

Mr. Paul D. Clement, Esq. Kirkland & Ellis LLP 1301 Pennsylvania Avenue, NW Washington, D.C. 20004

Ms. Barbara Dale Underwood, Esq. Solicitor General Office of the Attorney General 28 Liberty Street New York, NY 10005-1400

> Re: New York State Rifle, et al. v. Kevin P. Bruen, et al. No. 20-843

Dear Counsel:

Today, a certified copy of the judgment of this Court in the above-entitled case was emailed to the Clerk of the United States Court of Appeals for the Second Circuit.

The petitioners are given recovery of costs in this Court as follows:

 Printing of record:
 \$2,677.20

 Clerk's costs:
 \$300.00

 Total:
 \$2,977.20

This amount may be recovered from the respondents.

Sincerely,

SCOTT S. HARRIS, Clerk

By

M. Altner

Judgments/Mandates Clerk

### Supreme Court of the United States

No. 20-843

NEW YORK STATE RIFLE & PISTOL ASSOCIATION, INC., ET AL.,

Petitioners

 $\mathbf{v}$ .

KEVIN P. BRUEN, IN HIS OFFICIAL CAPACITY AS SUPERINTENDENT OF NEW YORK STATE POLICE, ET AL.

**ON WRIT OF CERTIORARI** to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the above court and was argued by counsel.

ON CONSIDERATION WHEREOF, it is ordered and adjudged by this

Court that the judgment of the above court is reversed with costs, and the case is remanded
to the United States Court of Appeals for the Second Circuit for further proceedings
consistent with the opinion of this Court.

IT IS FURTHER ORDERED that the petitioners, New York State Rifle & Pistol Association, Inc., et al., recover from Kevin P. Bruen, in His Official Capacity as Superintendent of New York State Police, et al., Two Thousand Nine Hundred Seventy-seven Dollars and Twenty Cents (\$2,977.20) for costs herein expended.

June 23, 2022

 Printing of record:
 \$2,677.20

 Clerk's costs:
 \$300.00

 Total:
 \$2,977.20

A True copy SCOTT S. HARRIS

Clerk of the Supreme Court of the United States